



Attorney Docket No. 05126-00003
TECHNOLOGY
SERIAL NO. 16002900

PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Aaron I. VINIK, et al.

Serial No. 09/659,379

Filed: September 8, 2000

For: HIGH LEVEL OF EXPRESSION OF
INGAP IN BACTERIAL AND
EUKARYOTIC CELLS

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Group Art Unit: 1652

Examiner: Patricia A. Robinson

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted for consideration by the United States Patent and Trademark Office in accordance with the duty of disclosure.

Transmitted herewith is:

- A PTO 1449 form
- A Background Art Information Paper
- A copy of each item of information listed on the PTO 1449 form
- Concise explanation of non-English language information
- concise explanation of relevance:
- English translation of foreign language information
- English language version of foreign patent office report citing information

- [] English language abstract(s) of foreign patent document(s)
- [] This application relies, under 35 U.S.C. §120, on the earlier filing date of U.S. Application Serial No. *****, filed ***. The information identified on the attached PTO 1449 form was submitted to and/or cited by the Patent and Trademark Office in this earlier application and, therefore, copies are not required to be provided in this application.

1. [] This Information Disclosure Statement is filed before the later of:

- [] three months from the filing date of this national application;
- [] three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
- [] the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. [X] This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:

- [X] a final action under 37 CFR 1.113, or an action that otherwise closes prosecution,
- [] a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c), also enclosed is

- [] a fee under 37 CFR 1.17(p) for \$180.00; or
- [X] a certification as stated below.
3. [] This Information Disclosure Statement is filed before payment of the issue fee, but after either
- [] a final action under 37 CFR 1.113, or an action that otherwise closes prosecution;
- [] a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d), also enclosed is:

- a certification, as stated below; and
- the IDS processing fee set forth in 37 CFR 1.17(p)(1) in the amount of \$180.00.

Certification

The undersigned states:

- Each item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

TOTAL FEES: \$-0-

- A check for the amount of the above indicated TOTAL FEES is attached.
 - Please charge Deposit Account No. 19-0733 in the amount of \$.
 - A check for \$ is enclosed.
 - No fee is required.
- Please charge or credit Deposit Account No. 19-0733 for an deficiency or overpayment associated with this Information Disclosure Statement.

A duplicate copy of this sheet is enclosed for accounting purposes.

It is respectfully requested that the Examiner fully consider each item of information, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the information has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Sarah A. Kagan
Sarah A. Kagan
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Dated: November 2, 2001

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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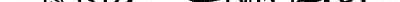
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Substitute for form 1449A/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT NOV 05 2001 <i>(use as many sheets as necessary)</i>		Application Number	09/659,379
		Filing Date	September 8, 2000
		First Named Inventor	Aaron I. VINIK et al
		Group Art Unit	1652
		Examiner Name	Patricia A. Robinson
		Attorney Docket Number	05126.00003
Sheet	2	1600/2900	

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
<i>JKL</i>		Ronit RAFAELOFF et al, Cloning and Sequencing of the Pancreatic Islet Neogenesis Associated Protein (INGAP) Gene and its Expression in Islet Neogenesis in Hamsters, J. Clin. Invest., 1997, vol. 99, no. 9, pp. 2100-2109.	
<i>JKL</i> ↓		Patent Abstracts of Japan, Publication Number 06135998, Publication Date of May 17, 1994.	

Examiner Signature		Date Considered	2/11/03
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.